IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 17479 of 2000

Between:

The Association of Managements of Private Colleges of Education of A.P.
Rep.by its Secretary, Sri B.Thimmaiah S/o.Thimmaiah,
aged-60 years, R/o.Kurnool.

..... PETITIONER

AND

1 The State of Andhra Pradesh, Rep.by its Secretary,

Secondary Education, Secretariat, Hyderabad.
2 The Commissioner, School Education, Govt. of A.P, Hyderabad.
3 The Convenor, EDCET-2001, Kakatiya University, Warangal.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not extending the scheme framed by the Supreme Court in Unni Krishnan's Case to be private colleges of education as illegal, unconstitutional, discriminatory and violative of Art.14 of the Constitution of India and direct them to extend the said scheme to such colleges with effect from the academic year 2000-2001.

Counsel for the Petitioner: MR.J.VENKATESWARA REDDY

Counsel for the Respondent Nos.1 and 2: GP FOR SCHOOL EDUCATION

Counsel for the Respondent No.3: MR. T.S. HARANATH

The Court made the following:

THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.17479 OF 2000

ORDER:

The Association of Managements of Private Colleges of Education in Andhra Pradesh filed the writ petition seeking the following relief.

For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon'ble Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not extending the scheme framed by the Supreme Court in Unni Krishnan's case to be private colleges of education as illegal, unconstitutional, discriminatory and violative of Art.14 of the Constitution of India and direct them to extend the said scheme to such colleges with effect from the academic year 2000-2001 and pass such other order or orders as this Hon'ble may deem fit and proper in the circumstances of the case.

The eleven-Judge Constitution Bench of the Supreme Court in **T.M.A.Pai Foundation v State of Karnataka** overruled the decision of Constitution Bench in **Unni Krishnan v State of A.P.,** to the extent of the scheme framed by the Supreme Court. In that view of the matter, no relief can be granted to the writ petitioner.

The writ petition is accordingly dismissed.

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(V.V.S.RAO,J)

01.09.2004.

pln

To

1. The Secretary, Secondary Education, State of Andhra Pradesh, Secretariat, Hyderabad.
2. The Commissioner, School Education, Government of A.P., Hyderabad.
3. The Convenor, Ed.,C.E.T-2001, Kakatiya University, Warangal.
4. 2 CCs to the G.P. for School Education, High Court Buildings, Hyderabad (OUT).
5. 2 CD copies.